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In re application of	:	DECISION ON
Steve Ingistov	:	PETITION TO
Serial No. 09/288,943	:	MAKE SPECIAL
Filed: April 9, 1999	:	

This is a decision on the petition, filed March 2, 2001, to make special under 37 CFR 1.102(c) or alternatively under 37 CFR 1.607(d).

With regard to the petition to make special under 37 CFR 1.102(c), applicant has failed to provide a statement explaining how the invention contributes to either (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources as set forth in MPEP 708.02 VI.

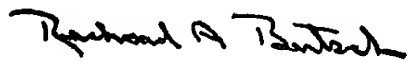
Since the requirements of 37 CFR 1.102(c) and MPEP 708.02, VI have not been met, the petition is dismissed with regard to this matter.

With regard to handling the application with special dispatch as to the interference, a review of the file indicates that the examiner has worked on the application in a reasonable time frame. The fact that the interference has not been declared does not necessarily mean that the case has not been handled with special dispatch. The examiner's position is that petitioner failed to claim the same invention within one year from the issue date of the patent. Petitioner's avenue for relief is by appeal. It is noted that the petitioner has filed his appeal brief.

Since petitioner is still seeking to provoke an interference, the request for the application to be handled with special dispatch is granted.

The application will be forwarded to the examiner for an action on the merits.

Any request for reconsideration of this decision with regard to the petition to make special under 37 CFR 1.102(c) must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.102(c)."



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**MAILED**

**MAR 26 2001**

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